

REMARKS

Claims 13-25 are pending in the present application. Claim 17 was amended in this response. No new matter has been introduced as a result of the amendment. Favorable reconsideration is respectfully requested.

Claim 17 was rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In light of the present amendments, applicants submit the rejection has been overcome. Withdrawal of the rejection is respectfully requested.

Claims 13-16, 21 and 23-24 were rejected under 35 U.S.C. §102(b) as being unpatentable over Ito et al. (US Patent 5,278,835). Claims 17-18 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ito et al. (US Patent 5,278,835). Applicants respectfully traverse these rejections

Specifically, Ito does not teach or suggest the feature of broadcasting check data, via the fixed station, which indicates a position of a carrier frequency of a current time slot in a predetermined sequence as recited in claims 13 and 21. First, the control signal (SACCH) of Ito is not equivalent to the check data feature that is presently claimed. The control signal SACCH in Ito is transmitted along with the timeslots from the bases station, where the mobile station determines the presence or absence of a free time slot on the basis of the *reception field strength* of each wave (col. 6, lines 22-43). Accordingly, the SACCH signal is not being broadcast from a fixed station to indicate a position of a carrier frequency of a current time slot in a predetermined sequence. Ito makes clear that, at the time of transmission from the mobile station (i.e., not the fixed station), the system is not aware of the presence or absence of free time slots - the control circuit determines the presence of free time slots and then forwards the information to the base station (col. 9, lines 22-61). In other words, Ito uses a completely different configuration, where each mobile station operates as a master, transmitting the available time slots to the base station. In contrast, the present claims recite a configuration where the base station operates as a maser, broadcasting available resources (check data) to the mobile station, assisting it during the log-on procedure. Accordingly, Applicants submit the rejection is improper and should be withdrawn.

In light of the above, Applicants respectfully submit that claims 13-25 are patentable and non-obvious over the art of record because Ito does not disclose, teach or suggest all of the


elements of claims 13-25. Accordingly, Applicants respectfully request that claims 13-25 be deemed allowable at this time and that a timely notice of allowance be issued in the case.

No fees are due in this case. If any other fees are due in connection with this application has a whole, the Patent Office is authorized to deduct the fees from Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. (112740-103) on the account statement.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY


Peter Zura

Reg. No. 48,196

Customer No.: 29177

Phone: (312) 807-4208

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